

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

NOV 28 2017

Clerk, U.S. District Court
District Of Montana
Missoula

DONNA LEE WILLIAMS,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

CV 16-143-M-DLC-JCL

ORDER

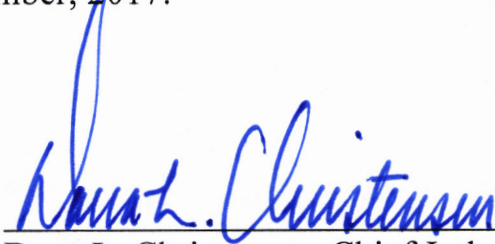
United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendations in this case on September 28, 2017, recommending that the Commissioner of Social Security's decision be reversed and this matter remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. (Doc. 24 at 20.) Defendant Nancy A. Berryhill, Acting Commissioner of Social Security, failed to timely object to the Findings and Recommendations, and so has waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). This Court reviews for clear error those findings and recommendations to which no party objects. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been

committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

After reviewing the record and finding no clear error,

IT IS ORDERED that Judge Lynch’s Findings and Recommendations (Doc. 24) are ADOPTED IN FULL. The Commissioner of Social Security’s decision is reversed and this matter remanded pursuant to 42 U.S.C. § 405(g) for further proceedings consistent with Judge Lynch’s Findings and Recommendations (Doc. 24).

DATED this 28th day of November, 2017.



Dana L. Christensen, Chief Judge
United States District Court